

APPENDIX A

AFFIDAVIT TESTIMONY OF REMBERT J. TRUESDALE III

The undersigned, Rembert J. Truesdale III, declares and states as follows:

Background Information

1. I graduated from the Military College of South Carolina ("the Citadel") in 1978 with a bachelor's of science degree in Chemistry.
2. In 1989, I graduated from Lehigh University with a master's of science degree in Chemistry.
3. That same year, I began working as an Associate Professor of Chemistry at the United States Military Academy at West Point.
4. Later, in 1992, I began working for Thomaston Mills as a Quality Manager for Dyeing and Finishing. As Quality Manager, I was responsible for selection of all raw materials that pertain to dyeing and finishing. In addition, I was responsible for managing all production and process development.
5. In 1996, I became the Apparel Division Technical Manager for Thomaston Mills. As the Apparel Division Technical Manager, I was responsible for selection of all raw materials, I managed all production and process development, and I managed all fabric quality issues.

6. I began working for my present employer, Southern Mills Incorporated ("Southern Mills") in 1999 as a Senior Research Chemist and am now a Senior Research Associate and Corporate Environmental Coordinator.

7. As a Senior Research Associate and Corporate Environmental Coordinator, I am responsible for developing new dyeing and finishing technologies for new and existing products, supporting product development efforts of Southern Mills research engineers, acting in the capacity of a company-wide resource for information concerning chemicals and chemical processing, and managing the Southern Mills dyeing and finishing laboratory.

Melamine Fabrics and Beam Dyeing

8. Through my experience in dyeing and finishing, I have become familiar with melamine fibers, their use in fabrics, and dyeing fabrics that contain melamine fibers.

9. Melamine fibers are spun using a highly random process, which results in the fibers having non-uniform diameters and widely-varying staple lengths.

10. Because of the varied nature of melamine fibers, it is generally perceived by persons of skill in the textiles industry that fabrics containing melamine fibers ("melamine fabrics") act as a filter for dyestuff and, therefore, cannot be dyed with acceptable results through beam dyeing processes in which the fabric is wrapped in a roll around a perforated beam through which the dyestuff is pumped.

11. The perception that melamine fabrics cannot be beam dyed with acceptable results has on multiple occasions been underscored by BASF, which was the primary melamine fiber producer up through June of 2002 and which sold its melamine fibers under the tradename Basofil™.

12. For example, in a conversation with Donna Latham (Ms. Latham), a former Research Engineer for Southern Mills, in September of 1999, Mr. Dean R. Gadoury ("Mr. Gadoury"), Team Leader for Polymers, Research and Development for BASF, expressed that one cannot expect to obtain acceptable dye results if beam dyeing were used to dye melamine/aramid fabric blends. Mr. Gadoury further explicitly recommended against beam dyeing to Ms. Latham.

13. Ms. Latham memorialized her conversation with Mr. Gadoury in a Southern Mills laboratory notebook on page 223. A photocopy of that laboratory notebook page is provided in Exhibit A, which accompanies this document.

14. As indicated in Exhibit A, Ms. Latham noted that Mr. Gadoury stated that "not much success" can be expected in beam dyeing fabrics comprising melamine or "Basofil" and "Kevlar" (an aramid fiber) due to the "filtration effect." Exhibit A.

15. Ms. Latham further noted that Mr. Gadoury expressed that the "filtration effect" is "due to variable denier" and that "dyestuff cannot get through the roll." Furthermore, Ms.

Latham noted that Mr. Gadoury expressed that such fabric “acts like a very good filter fabric.”

Exhibit A.

16. Mr. Gadoury reiterated that successful dyeing results cannot be obtained for melamine fabrics using beam dyeing processes in a telephone conversation with me in or around February or March of 2001.

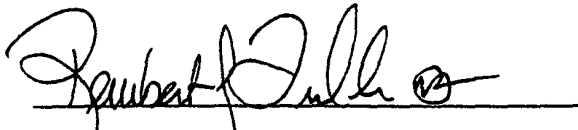
17. During that telephone conversation, Mr. Gadoury further recommended not using beam dyeing processes to dye melamine fabrics, and instead suggested jet dyeing melamine fabrics.

18. Despite Mr. Gadoury’s advice to the contrary, Southern Mills pursued the prospect of beam dyeing melamine fabrics as a means to avoid damage to the fabrics that may be caused from jet dyeing.

19. Various testing was conducted and, ultimately, successful beam dyeing of melamine fabric was achieved.

20. After successful beam dyeing of melamine fabric was achieved, Southern Mills took steps toward preparing and filing the present patent application, U.S. Patent Application Serial No. 09/918,934.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Rembert J. Triesdale III

6/25/03
Date

9/13/99

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Beam Dyeing of Basofil/Kerlar→ Not much success in beam dyeing
"filtration effect"due to variable series
dyestuff cannot get through
the roll.Acts like a very good filter
fabric.Need minimal amounts - minimize
exposureSimulate beam dyeing
in laboratory.

(750

P130

K750

P130

9/14/99

Mike

3M 10/4

Coverall

Yoshimura?

CRADA?

GHP stuff?

Basofil Beam Dyeing?

Don Aldridge - Ray Phoenix?

Week of 18th 10/25 No?

④ SET +
writing Plan① Black/Tech → Ker
Peggy Murphy

② Peggy Murphy

③ Billimont /
Setup net.Peggy w/ 10/11
Mike 10/11

Sue/Chris

Duffy - Miller
Curt Karp -DuPont
YoshimuraBasofil®
Intg.